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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/090,680

03/05/2002

Carl A. Gunter

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01/31/2005

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EXAMINER

KLIMACH, PAULA W

ART UNIT

PAPER NUMBER

2135

DATE MAILED: 01/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/090,680	Applicant(s) GUNTER, CARL A.	
	Examiner Paula W Klimach	Art Unit 2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/04/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This office action is in response to amendment filed on 10/04/2004. Original application contained Claims 1-5. The amendment filed on 10/04/2004 have been entered and made of record. Therefore, presently pending claims are 1-5.

Response to Arguments

Applicant's arguments filed 10/04/2004 have been fully considered and are found persuasive. The new grounds of rejection presented below reject the claims 1-5.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berry et al (US Patent 2002/0162019 A1) in view of Hwang (the article An Access Control Scheme Based On Chinese Remainder Theorem and Time Stamp Concept).

In reference to claims 1 and 5, Berry discloses a method and system of providing secure access to a service on a web server comprising: (a) providing a first user access to a label service on the web server (page 2 paragraph 0040); (b) allowing said first user to determine, using the label service, a label relating to the service on the web server (page 2 paragraph 0041); (c) providing the label to said first user (page 2 paragraph 0041); (d) upon said first user transmitting

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the label to a second user via a messaging system (paragraph 0042), automatically storing on the web server information based on a public key of the second, user and the label (page 3 paragraph 0049); (e) authenticating the second user with respect to the public key of the second user and the label (page 4 paragraph 0052); (f) providing the second user access to the service if step (e) produces a positive result (page 4 paragraph 0052).

Although Berry discloses the use of and ACL containing public keys (paragraph 0063), Berry does not expressly disclose updating the ACL with at least one of a public key of the second user and information related to the label or (ii) information that allows retrieval of a public key of the second user and information related to the label.

Hwang discloses a method of expanding the access list so that when access rights change the system can update one key for each operation (page 74). The system also inserts a user/file, therefore, information related to the label.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use the updating mechanism as in Hwang in the system of Berry. One of ordinary skill in the art would have been motivated to do this because to change the access right of a user to a file the scheme need only modify the key value of the user or the file (Hwang Conclusion).

Claims 2-3 are rejected as in rejection for claim 1.

Regarding claim 2, wherein the label comprises a URL for identifying the service (page 4 paragraph 0057).

Regarding claim 3, wherein the messaging system comprises an electronic mail system (page 3 paragraph 0049).

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berry and Linehan as applied to claim 1 above, and further in view of Wright et al (2002/0016910 A1).

Berry and Linehan does not expressly disclose the use of instant messaging for messaging.

Wright discloses messaging system comprises an instant messaging system (page 3 paragraph 0019).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use instant messaging as in Wright in the system as in Berry. One of ordinary skill in the art would have been motivated to do this because instant messaging allows for delivery of messages the same day (page 1 paragraph 0007).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paula W Klimach whose telephone number is (571) 272-3852. The examiner can normally be reached on Mon to Thr 9:30 a.m to 5:30 p.m. .

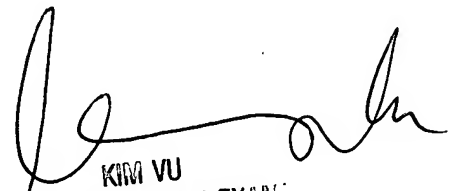
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PWK

Friday, January 28, 2005



KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2